

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

Jane Doe,
Plaintiff,

-against-

Pistilli Realty Group, Joseph Pistilli, Anthony Pistilli, 30-86 32nd Street LLC, et al.,
Defendants.

Index Number: 1:23-cv-01623-NCM-JAM

**EMERGENCY ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING ORDER**

To the Honorable Judge Natasha C. Merle:

Upon the affidavit of Jane Doe sworn to on September 3, 2024, and upon the supporting documents and any additional exhibits to be submitted herewith, it is

ORDERED, that the above-named defendants show cause before a motion term of this Court, at Room 2F North, United States District Court, 225 Cadman Plaza East, Brooklyn, NY 11201, on September 10, 2024, at 2:30 p.m., or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendants, during the pendency of this action, from initiating any frivolous legal actions and/or fraudulent proceedings against the Plaintiff in this federal court without first obtaining approval from this Court; and it is further

ORDERED, that, sufficient reason having been shown, pending the hearing of Plaintiff's application for a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure, the defendants are temporarily restrained and enjoined from initiating any additional frivolous legal actions against the Plaintiff in any court other than this one, without first obtaining approval from this Court; and it is further

ORDERED, that deposition dates shall be scheduled only after the Case Management Plan, reflecting the nature of this case, has been approved by the Honorable Judge Natasha C. Merle at the upcoming hearing; and it is further

ORDERED, that the Plaintiff's request for entry of default and for an order to file a motion for default judgment against Thomas Barresi and Phoenix Management 23 LLC be heard and considered; and it is further

ORDERED, that the Plaintiff's Request to Strike the fraudulent Answer filed by Thomas Maroney, along with sanctions, be heard and considered; and it is further

ORDERED, that the Plaintiff's Request to Amend the Case Captions to reflect all defendants be heard and considered; and it is further

ORDERED, that the Plaintiff's Request for Approval of a Proposed Case Management Plan that is fair to the Plaintiff and reflects the nature of the case be heard and considered; and it is further

ORDERED, that the Plaintiff's Request for a Bench Trial be heard and considered; and it is further

ORDERED, that the Plaintiff's Request for sanctions due to the filing of two frivolous answers and the submission of fabricated stories, including threats of malicious litigation, be heard and considered; and it is further

ORDERED, that security in the amount of \$TBD..... be posted by the Plaintiff(s); and it is further

ORDERED, that via email service of a copy of these orders, annexed affidavit, exhibits, and additional support upon the defendants or their counsel on or before 5:00 p.m., September 6, 2024, shall be deemed good and sufficient service thereof.

WHEREFORE, I respectfully request that the Court grant the within relief as well as such other and further relief that may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 3, 2024

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Sworn to before me this 3
day of September 2024

Pia A. Levensteins
Notary Public

